

connecting means includes switching circuits for connecting the telephone to the Internet connection terminal in accordance with switching instructions from an Internet server.

The Examiner has asserted that Vaziri teaches the switching circuits, referring to col. 24, lines 55-65 of Vaziri. Applicant respectfully disagrees.

Vaziri provides a system for Internet telephony, so as to allow a user to make telephone calls via the Internet without a need for an expensive multimedia-capable personal computer. In Vaziri, to establish an Internet connection, the user will first dial the PSTN telephone number of the intended call recipient. Once the called telephone is answered and parties agree to talk over the Internet, both parties initiate, via a key stroke, the switch to the Internet. The Internet switch box (ISB) of each party then disconnects the PSTN call, and each initiates its own call to the other via the Internet (Vaziri, col. 4, lines 19-32). Vaziri states repeatedly that the ISB disconnects the PSTN connection and initiates the switch to the Internet in response to the user's input, such as pressing of one or more keys on the telephone keyboard, or a button of the ISB (Vaziri, col. 7, lines 19-28; col. 13, line 55 to col. 14, line 10; col. 15, lines 35-50; etc.). In short, the parties in Vaziri talk to each other over the PSTN first. If the parties agree to talk over the Internet, they activates the ISB to switch the connection to the Internet. In Vaziri, there is no switching instructions from an Internet server, much less switching means operating in accordance with switching instructions from an Internet server.

The Examiner has asserted that the ISB of Vaziri teaches the recited switching means. At the same time, the Examiner has agreed that the ISB is manually controlled. This contradicts the Examiner's position that the ISB teaches the recited switching

means, which operates in accordance with switching instructions from an Internet server, instead of manual activation.

The Examiner has asserted that the embedded software in the ISB of Vaziri teaches the recited switching instructions. Applicant respectfully disagrees. Again, the ISB is operated by users' manual activation according to user's talk over PSTN.

In col. 24, lines 55-65, Vaziri mentions switching means for receiving a switch-over command. However, in Vaziri, the switch-over command is from the users, not from an Internet server. There is nothing in Vaziri indicating that the switch-over command is from an Internet server.

Thus, by asserting that Vaziri teaches claim 1, the Examiner has read the limitation "switching instructions from an Internet server" out of claim 1, which is improper.

Accordingly, Applicant respectfully submits that claim 1 and its dependent claims 2-3 are patentable. Claims 4-6, 7-9, and 10-12 are patentable for the same reasons.

The Examiner has asserted that the limitations in claim 3 have been addressed in claims 1, 11, and 12. Applicant respectfully disagrees. Claim 3 recites means for receiving the switching instructions via the telephone network and for controlling the switching circuits. However, none of claims 1, 11, and 12 talks about the recited means for receiving the switching instructions. Thus, claim 3 is patentable for this additional reason.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in

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issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

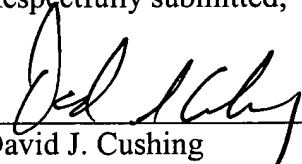
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